

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

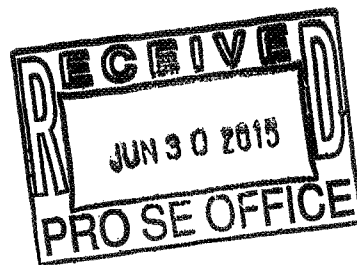
JUDGE SULLIVAN

COMPLAINT – ACTION FOR DAMAGES FOR PROPERTY RIGHTS INFRINGEMENT

CIVIL ACTION NO: 15CV-1862 RJS

-----X	:
MALIBU MEDIA, LLC,	:
Plaintiff	:
	:
Vs.	:
	:
JOHN DOE subscriber assigned IP address: 108.41.235.16	:
Defendant	:
-----X	:

LETTER TO HONORABLE JUDGE SULLIVAN:



Honorable Judge Sullivan:

The Defendant appreciates the court's direction on the previous Motion *inter alia* quash the subpoena, proceed anonymously, and offer an option to revise the Motion by July 1st 2015. The Defendant wishes to express to the court that they could not find an adequate defense lawyer that they could afford, given the subject matter and regional history of defense attorneys with the Plaintiff. After several conversations with potential candidates in the area it was the Defendant's impression that the defense lawyers contacted might have inside deals with the Plaintiff to provide quick turn settlements or were unwilling to provide a defense which did not involve a settlement for a reasonable cost. With the time period allowed to respond, it was the judgement of the Defendant that they would be better served to proceed without representation for the time being.

The Defendant is not a lawyer but strongly believes in the fairness of the court system and will make every attempt to provide a procedurally structured defense according to the court's guidelines dated June 15th 2015 and those provided in the Southern District Pro Se Manual.

The Defendant wishes to proceed to a partial summary judgment on if the company referenced through these motions is afforded protection under the Digital Millennium Copyright Act (DMCA) of 1998 Section 512(a) as soon as possible to save court resources. All the Defendant requests is a meeting or teleconference held under seal for freedom to provide the court directly any amount of information, including but not limited to, items that would even normally be considered confidential in a genuine effort to help resolve the case as timely as possible. The Defendant would appreciate guidance on the local rules and procedures as they are not exactly clear on how the court would prefer to handle this request in the pro se manual or in the local rules posting prior to proceeding to full discovery for a pre-

launch small business. The Defendant considers this a separate issue to the case at hand and feels this item can be decided independently from any action(s) required by the Plaintiff. The Defendant has supplied a motion to this effect in a separate document.

The Defendant wishes to express to the court that as a software company we fully endorse the patent and copyright laws and do not endorse copyright infringement in any form. Further, our defense in this case is structured solely to keep our association with this suit and Malibu Media private until such a time as the Plaintiff is fully satisfied they have brought this case in error and voluntarily dismisses the case with prejudice. We reserve the right to litigate copyright or patent infringement against our software should it be necessary in the future. Our comments contained here shall not be construed to weaken our position in future cases.

Respectfully,

John Doe 108.41.235.16 pro se litigant